

### REMARKS

This Response and these remarks are in reply to the Office Action mailed December 7, 2004. With the addition of dependent Claims 102-109, Claims 84-109 are presented herewith for consideration.

#### Rejection of Claims 89-112 Under 35 U.S.C. § 112

Claims 89-101 have been rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the invention. In particular, the rejection was based on a lack of antecedent bases for the term "the work space" in Claims 89 and 98. Antecedent basis has been provided for this term in the claims and it is respectfully requested that the rejection on these grounds be withdrawn.

#### Rejection of Claims 84-101 Under 35 U.S.C. § 102(e)

Claims 84-101 stand rejected under 35 U.S.C. 102(e) as being unpatentable over Wood (United States Patent No. 5,511,980, hereinafter referred to as "*Wood*" or the "*Wood* reference"). Applicants respectfully traverse the rejection as follows.

The present invention is directed to an educational toy which educates a child through prompts and positive and negative feedback. In an embodiment, the child is prompted, the child cognitively reacts by manipulating one or more objects on a work space, the system determines whether the child's reaction corresponds to a desire response, and then the system provides positive or negative reinforcement.

Regarding the feature or features of the present invention that determine whether the child's reaction corresponds to a desired response, independent Claims 84 and 93 for example recite:

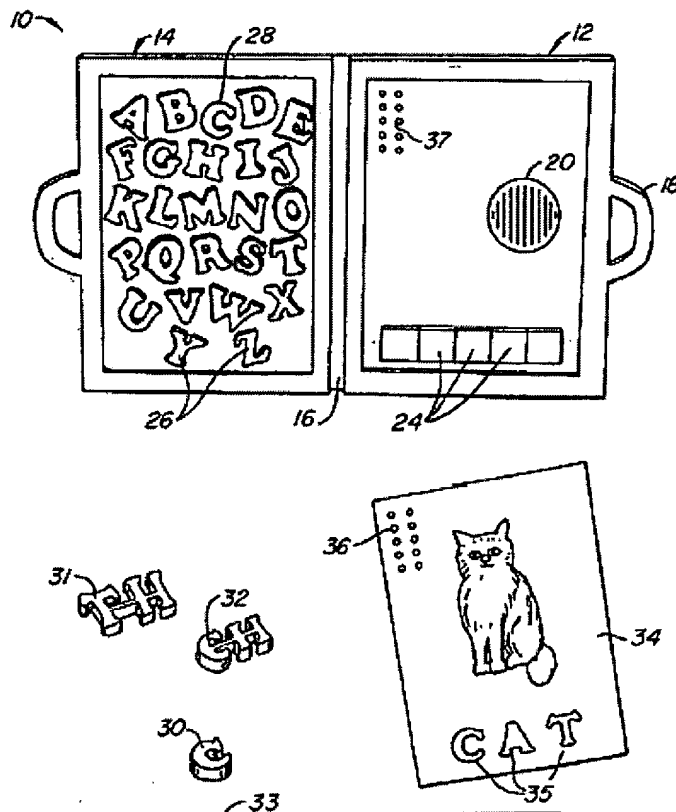
one or more detectors associated with a work space, the detectors being capable of detecting the location of the one or more graspable objects placed or manipulated on the work space.

And:

a processor capable of determining whether the location of the one or more graspable objects placed or manipulated on the work space corresponds to a desired response.

Similar limitations are recited in independent method Claims 89 and 98.

Applicants respectfully submit that the *Wood* reference does not disclose, teach or in any way suggest a processor which determines whether the detected locations correspond to a desired response or detectors which detect the location of the one or more graspable objects. The *Wood* reference uses five pushbutton keys 24 in combination with cutouts 35 on a card 34. The relevant portions of Figure 1 of the *Wood* reference are reproduced below for the convenience of the Examiner.



Applicants respectfully submit that the processor of *Wood* does not determine whether the location of the one or more graspable objects placed or manipulated on the work space corresponds to a desired response. In *Wood*, because the cutouts 35 on the card 34 force the letters onto specific pushbutton keys, the processor simply waits unless the letter is placed in its corresponding cutout. The child has no option to place a letter anywhere other than its corresponding cutout. Thus, if there is a letter in its corresponding cutout, the processor simply indicates that the letter is present. The processor of *Wood* does not evaluate the locations of the letters and does not determine whether or not the location of the letter is correct as called for by the claims. This is all made clear from the following excerpt from *Wood*, col. 5, lines 2-53:

The operation of the "talking dictionary" embodiment of the present invention will now be explained as follows. The talking book is powered on and opened. On the left-hand portion are a plurality of removable indicia bearing units 26, overlying keys, on the right hand portion is the card-receiving portion 12, the speaker 20, and five keys 24 at the bottom. A child takes out a card 34 that has on it a some combination of phonetics that may comprise a simple word. For purposes of illustration, suppose that word is "cat". Card 34 has on it a color picture of a cat, and at the bottom are cut-out outlines of the letters "c-a-t", shown as reference numbers 35. These cut-out outlines 35 will overlies three out of the five pushbutton keys 24 at the bottom of the card receiving portion. The child places card 34 on the right-hand portion 12 of the book, face up. In the embodiment of the book that employs eight pins as the card identifying means, as depicted in FIG. 1, the child will align card 34 so that holes 36 on the left-upper most part of the card will receive pins 37. In the embodiment of the book that employs a plurality of keys on the right-most edge of the card-receiving portion, as depicted in FIG. 2A, the child will align the card so that the serrated right edge 43 of card 40 fits into the slot 47 provided, as shown in FIG. 2B. Either way, when the card has been properly inserted the processor will recognize the card and recite the name associated with the card, here, the word "cat". Thereupon the processor will wait for the child to remove an indicia bearing unit from the left portion of the book and place it into the proper cutout on the card. The child must place the indicia letters "c", "a", "t" in sequence, in the proper matching cutouts, or the book will remain silent or optionally an error message will be sounded. If the child places the first indicia letter "c" correctly, into the cutout reserved for the letter "c" on the card, the processor will sound the phoneme "c", as "c" is pronounced in "cat". To further illustrate this point, if the word was "coat", the phoneme "c" would be pronounced differently than the "c" in cat. The processor would store all the

phonemes associated with each stored word, in compressed Linear Predictive Coding (LPC) form, as described herein, and the association between phoneme and stored word would be software controlled. Next, the indicia letter "a" would have to be placed in the cutout for letter "a" to depress the underlying switch and sound the phonic for "a" in the word "cat". Likewise, placing "t" would sound the "t" in cat. When the last letter has been placed, the processor may recite the entire word again. Furthermore, the indicia units 26 on the left hand side are attached to underlying switches or keys that are operatively coupled to the processor to cause the processor to recite the letters of the alphabet when the keys are depressed. Thus a child may learn the alphabet even in the absence of using cards.

Moreover, the claims of the present invention recite structure ("one or more detectors") or methods for "detecting the location of the one or more graspable objects placed or manipulated on the work space." It is respectfully submitted that the system of *Wood* does not meet these limitations. The cutouts 35 on the card 34 of *Wood* force the child to place a particular letter on particular pushbutton keys. Thus, the child has no choice where to place particular letters. This eliminates the need for the individual pushbutton keys to determine the location of the object placed on the work space.

At least for the reason that *Wood* does not disclose, teach or in any way suggest the recited detector(s) and processor, it is respectfully submitted that the present invention is patentable over *Wood*, and it is respectfully requested that the rejection of Claims 84-101 on these grounds be withdrawn.

### CONCLUSION

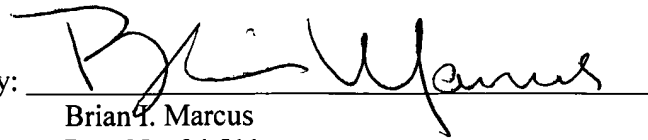
Based on all of the above, applicants believe all claims now pending in the present application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. Applicants thank the Examiner for carefully examining the present application and if a telephone conference would facilitate the

prosecution of this application, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,

Date: April 7, 2005

By: \_\_\_\_\_

A handwritten signature in dark ink, appearing to read "Brian T. Marcus", is written over a horizontal line.

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Reg. No. 34,511

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